Atty. Dkt. No. 029318-0981



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Cooper et al.

Title:

NOVEL BENZOYL PEROXIDE

COMPOSITIONS

Appl. No.:

10/677,857

Filing Date:

October 3, 2003

Examiner:

Unassigned

Art Unit:

1616

Confirmation

4616

Number:

<u>INFORMATION DISCLOSURE STATEMENT</u> <u>UNDER 37 CFR §1.56</u>

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

The documents listed on the PTO/SB/08 were cited by the Examiner in corresponding Patent Application Nos. 10/697,716, 10,697,703, and 10,276,400.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Although Applicant believes that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 19-0741.

Respectfully submitted,

FOLEY & LARDNER LLP

Customer Number: 31049

Telephone:

(202) 672-5538

Facsimile:

(202) 672-5399

Michele M. Simkin Attorney for Applicant Registration No. 34,717

MODIFIED PTO/SB/08 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

Under the Paperwork Reduction Action 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

number. Substitute for 100 1449B/PTO Complete if Known INFORMATION DISCLOSURE **Application Number** 10/677,857 October 3, 2003 STATEMENT BY APPLICANT Filing Date **First Named Inventor** Eugene R. Cooper 01/11/2007 Group Art Unit 1616 (use as many sheets as necessary) **Examiner Name** Unassigned **Attorney Docket Number** 029318-0981 of 1 1 Sheet

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	U.S. Patent Document			Date of Publication of	Pages, Columns, Lines, Where Relevant
		Number	Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear
		5,756,546		PIROTTE et al.	05/1998	
		5,527,545		SANTUS et al.	06/1996	
				·		
				· ·		

Examiner Initials*	Cite No.1	Foreign Patent Document Office ³ Number ⁴ Kind C	ode ⁵ Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		AU 699996 B	Jain et al.	12/1998		
		WO 96/03132	Psorial	02/1996		1

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.		
İ				

Examiner Signature	Date Considered	

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.